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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

December 17, 1997

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

Hand Delivered

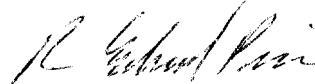
Re: Petition for Waiver
CC Docket No. 92-237

Dear Ms. Salas:

Transmitted herewith, on behalf of TDS Telecommunications Corporation and eleven of its local exchange carrier subsidiaries, are an original and four copies of a Petition for Waiver of the four digit carrier identification code requirements established in the above-referenced docket.

In the event there are questions concerning this matter, please contact me.

Very truly yours,



R. Edward Price

Enclosure

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ORIGINAL

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

RECEIVED

DEC 17 1997

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Administration of the) CC Docket No. 92-237
North American Numbering Plan,)
Carrier Identification Codes (CICs))

PETITION FOR WAIVER

TDS Telecommunications Corporation ("TDS Telecom"), by its attorneys and on behalf of eleven of its 106 local exchange carrier ("LEC") subsidiaries,¹ hereby petitions the Commission for a temporary waiver of the Carrier Identification Code ("CIC") requirements imposed on LECs in the *Second Report and Order*² and *Order on Reconsideration, Order on Application for Review, and Second Further Notice of Proposed Rulemaking ("Reconsideration Order")*³ in the above-captioned proceeding. The Commission has already granted such

¹ TDS Telecom's 106 LEC subsidiaries operate approximately 513,000 access lines. Only a small percentage of those lines are affected by this waiver request. The eleven LEC subsidiaries for which TDS Telecom seeks the instant waiver, and the number of affected lines operated by those companies, are as follows: Badger Telecom, Inc., 3939 lines; Central State Telephone Company, 4715 lines; EastCoast Telecom, Inc., 1278 lines; Scandinavia Telephone Company, 2733 lines; Oklahoma Communications Systems, Inc., 3351 lines; Mahanoy & Mahantango Telephone Company, 2237 lines; Communications Corporation of Southern Indiana, 492 lines; Home Telephone Company, 788 lines; Wolverine Telephone Company, 659 lines; Island Telephone Company, 1055 lines; and Tipton Telephone Company, 5167 lines.

² 12 FCC Rcd 8024 (1997).

³ FCC 97-386 (released Oct. 22, 1997).

requests for waiver to several LECs,⁴ and TDS Telecom submits that there is also good cause to grant the instant waiver request.⁵

I. Introduction

In this proceeding, the Commission has determined that LECs will be required to accept four digit Feature Group D CICs by January 1, 1998, and will thus need to reprogram their switch software and/or upgrade their switch hardware by that date.⁶ The *Reconsideration Order* extends the permissive dialing period — during which both three and four digit CICs may be used — until June 30, 1998, but leaves intact the January 1, 1998, deadline for LECs to accept four digit CICs.⁷ It also requires LECs that cannot meet this deadline to seek relief from the Commission.⁸

Most of TDS Telecom's LEC subsidiaries have made the necessary upgrades and will be in compliance with the Commission's CIC requirements by the January 1 deadline. However, for the reasons discussed herein, eleven of TDS Telecom's LEC subsidiaries have determined that they will not be prepared to handle four digit CICs by January 1, and TDS Telecom seeks waivers, for various lengths of time, accordingly. The factors necessitating waivers for each of these LEC subsidiaries are discussed below.

⁴ See *Petitions for Waiver of the Four-Digit Carrier Identification Code (CIC) Implementation Schedule*, NSD File Nos. 97-53, et al., *Order*, DA 97-2528 (released Dec. 3, 1997), NSD File Nos. 97-52, et al., *Order*, DA 97-2614 (released Dec. 15, 1997).

⁵ See 47 C.F.R. § 1.3.

⁶ See *Second Report and Order* ¶ 10.

⁷ See *id.* ¶ 20.

⁸ See *Reconsideration Order* ¶ 24.

II. TDS Telecom's Request for Waiver Is In the Public Interest and Should Be Granted

A. Background

Beginning in 1993, TDS Telecom undertook a program to replace obsolete switches operated by its LEC subsidiaries. Due to normal budgetary constraints, TDS Telecom determined that it should implement this program over time, rather than replace all obsolete switches at once. Because TDS Telecom's central focus in this endeavor has been to improve service to the public, it has sought to replace those switches first which affect the greatest number of customers or which are most quickly approaching the end of their capacity. Switch replacement under this program was scheduled to be completed by 2000, thus giving TDS Telecom's subsidiaries the capability to accept four digit CICs consistent with the Commission's 1994 proposal to end the transition to four digit CICs in the year 2000.⁹

With this program already in place, TDS Telecom was not prepared to complete its switch replacement by the January 1, 1998, deadline imposed in April 1997 by the *Second Report and Order* in this proceeding.¹⁰ As a result, and despite diligent efforts, TDS Telecom has not yet been able to replace all of the switches that need to be replaced in order to accept four digit CICs. However, TDS Telecom has determined that, in light of the requirements in the instant docket, all of its LECs with equal access capability will be prepared to accept four digit CICs no later than the end of 1998, and in some instances sooner. Additionally, such a waiver would be in the public interest due to the cost TDS Telecom's subsidiaries would

⁹ See *Notice of Proposed Rulemaking*, 9 FCC Rcd 2068, 2077 (1994).

¹⁰ See *Second Report and Order*, 12 FCC Rcd at 8040.

otherwise incur and the relatively small number of exchanges and access lines served by the LECs at issue here.¹¹

B. The Current Status of Affected TDS Telecom Subsidiaries and the Reasons for the Instant Waiver Petition

The specific LECs for which TDS Telecom seeks the instant waiver, and the current status of switch replacements and upgrades for each, are discussed below.

1. LECs Requiring a Waiver Until the End of 1998

Badger Telecom, Inc. ("Badger"), Central State Telephone Co. ("Central"), EastCoast Telecom, Inc. ("EastCoast"), Scandinavia Telephone Company ("Scandinavia"), and Oklahoma Communications Systems, Inc. ("Oklahoma") will receive new switches no later than the end of 1998. Such upgrades are necessary because these LECs currently use NEC switches that are no longer manufactured and that no longer receive timely and adequate technical support from NEC. The process of installing new switches for these LECs is currently in progress, and the specifications for the installation of new switches are being completed.

Another TDS LEC, Communications Corporation of Southern Indiana ("CCSI"), currently uses a DCO switch in its Elnora exchange¹² which requires a front end replacement in order to be four digit CIC compliant. It is estimated that this replacement would cost \$250,000 — which also approximates the cost of a new switch. As a result, TDS

¹¹ See *supra* note 1.

¹² The Elnora exchange is the smallest of CCSI's three exchanges and currently serves only 492 access lines.

has determined that, for several reasons, it would be more beneficial to replace the switch entirely rather than to install this costly upgrade. Alternatively, however, TDS is currently exploring the possibility of acquiring four digit CIC capability through the use of an adjacent LEC's switch. It is anticipated that such a proposed transaction would be completed no later than the end of 1998; and in the event that such a transaction is not completed, TDS will replace CCSI's switch by that date. In either scenario, then, CCSI would require a waiver only until January 1, 1999.

Overall, TDS Telecom has determined that it would cost more than \$1.5 million to make the necessary software upgrades just to enable these obsolete switches to accept four digit CICs. Incurring such an expense would be wasteful due to TDS Telecom's plan to replace these switches in 1998. TDS Telecom therefore requests a waiver until January 1, 1999, so that these LECs can have the necessary time to make their planned switch replacements.

2. LECs Requiring a Waiver Until Various Dates Prior to the End of 1998

Mahanoy & Mahantango Telephone Company ("M&M"), Tipton Telephone Company ("Tipton"), and Wolverine Telephone Company ("Wolverine") require new switches as well, but TDS Telecom anticipates that installation will be completed by January 31, 1998, for M&M; March 31, 1998, for Tipton; and June 30, 1998, for Wolverine.¹³ TDS Telecom therefore requests waivers for these LECs until those respective dates.

¹³ These three LECs will therefore have four digit CIC capability in time for the June 30, 1998, end of the transition period. See *Reconsideration Order* ¶ 20.

Island Telephone Company is currently updating its switch software to accept four digit CICs. It is attempting to complete this process by January 1, 1998. However, TDS Telecom seeks a waiver for this LEC until January 30, 1998, in the event it is not able to meet the January 1 deadline for unforeseen reasons.

3. Non-Equal Access LEC

One additional TDS subsidiary, Home Telephone Company, does not currently have equal access capability.¹⁴ It is therefore covered by the Commission's proposal in the *Reconsideration Order*, which would require LECs that do not have equal access capability (or that have not had a bona fide equal access request) to make the necessary upgrades to provide equal access within three years of a Commission order to that effect.¹⁵ Nevertheless, TDS Telecom seeks a waiver for this LEC indefinitely, subject to an order requiring it to upgrade its switch to equal access.

III. Conclusion

As the foregoing discussion indicates, TDS Telecom is making every effort to comply with the Commission's new four digit CIC requirements. For the small number of its LEC

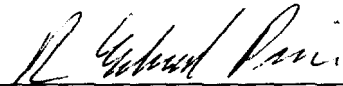
¹⁴ To date, Home Telephone Company has not received a request for equal access.

¹⁵ See *Reconsideration Order* ¶¶ 83-85.

subsidiaries discussed herein that will not comply by January 1, 1998, TDS Telecom requests that the Commission grant this request for waiver for the reasons set forth above.

Respectfully submitted,

TDS TELECOMMUNICATIONS
CORPORATION

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R. Edward Price

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Its Attorneys

December 17, 1997

CERTIFICATE OF SERVICE


I, Sheila Hickman, do hereby certify that copies of the foregoing "PETITION FOR WAIVER" were this 17th day of December, 1997, served by hand delivery on the following parties:

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Sheila Hickman